

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

In the Matter of	)	
	)	
Amendments to Parts 1, 2, 27 and 90 of	)	WT Docket No. 02-8
the Commission's Rules to License Services	)	RM-9267
in the 216-220 MHz, 1390-1395 MHz,	)	RM-9692
1427-1429 MHz, 1429-1432 MHz,	)	RM-9797
1432-1435 MHz, 1670-1675 MHz,	)	RM-9854
and 2385-2390 MHz Government Transfer	)	RM-9882
Bands	)	

**PETITION FOR RECONSIDERATION OF ITRON, INC.**

Itron, Inc. ("Itron"), by its attorneys, respectfully submits this Petition for Reconsideration to have the Commission correct an inconsistency in its recent Report and Order adopting service rules in the above-referenced proceeding.<sup>1</sup> Itron asks the Commission to re-evaluate its decision to license telemetry frequencies in the 1427-1429.5 MHz and 1429.5-1432 MHz bands only on a shared basis.<sup>2</sup> In view of the fact that telemetry licensees will be permitted to operate thousands of "temporary fixed" stations without separate authorization in any given licensed area,<sup>3</sup> Itron fears that shared use of co-channel frequencies in these bands may result in unintended interference to utility companies and other telemetry licensees in the same service areas. While it is possible that such difficulties may be resolved through careful

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<sup>1</sup> See *In re Amendments to Parts 1, 2, 27 and 90 of the Commission's Rules to License Services in the 216-220 MHz, 1390-1395 MHz, 1427-1429 MHz, 1429-1432 MHz, 1432-1435 MHz, 1670-1675 MHz, and 2385-2390 MHz Government Transfer Bands, Report and Order*, WT Docket No. 02-8, FCC 02-152 (rel. May 24, 2002) ("R&O").

<sup>2</sup> See *id.* at ¶ 96.

<sup>3</sup> See *id.* at ¶ 51.

frequency coordination, a better approach may be for the Commission to permit exclusive licensing of telemetry systems.

Itron is the nation's leading supplier of automatic meter reading ("AMR") equipment to electric, gas, and water utility companies. Itron currently has nationwide authority to operate AMR systems in the 1427-1432 MHz band on a secondary basis and plans to seek authority to operate these systems on a primary, site-by-site basis in the 1429.5-1432 MHz band consistent with the *R&O* in this proceeding. In any given market, Itron's AMR system may have tens of thousands of telecommand stations situated on utility poles communicating with hundreds of thousands of meter modules located at customers' premises.<sup>4</sup> Itron expects that the transmissions to and from these telecommand stations will be spontaneous and intermittent depending on the individual utility company's needs in the market.

In the *R&O* the Commission decided to license telemetry frequencies in the 1427-1429.5 MHz and 1429.5-1432 MHz bands only on a shared basis, consistent with other Part 90 operations.<sup>5</sup> Itron believes, however, that shared use of frequencies in these bands is inconsistent with the nature of utility telemetry operations. Unlike other Part 90 licensees who operate from a single fixed site or from a small number of fixed sites, utility telemetry operators will use thousands of fixed sites across large service areas. Consequently, it will be impracticable, if not impossible, for utility telemetry operators to listen for local transmissions from other telemetry operators using shared frequencies prior to activating each telecommand station or meter module. The result may be unintended interference to and from each telemetry licensee operating on a shared basis in any given service area.

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<sup>4</sup> Consistent with the *R&O*, the AMR telecommand stations will be licensed as "temporary fixed" locations and will be permitted to operate indefinitely without requiring a separate authorization. Rather, AMR operators will specify temporary fixed operations in terms of a maximum distance from a geographical center. See *R&O* at ¶ 51.

<sup>5</sup> See *R&O* at ¶ 96, citing to 47 C.F.R. § 90.173(a).

Itron is hopeful that the frequency coordination process required in telemetry bands will eliminate much of the risk of unintended interference between co-channel telemetry licensees operating in the same service areas.<sup>6</sup> Nevertheless, Itron wishes to alert the Commission of the difficulties that may arise from allowing telemetry operators to use shared frequencies in the same service areas. For these reasons, Itron respectfully requests that the Commission reassess its decision to license telemetry frequencies in the in the 1427-1429.5 MHz and 1429.5-1432 MHz bands only on a shared basis.

Respectfully submitted,

ITRON, INC.



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<sup>6</sup> See R&O at ¶ 96.